

REMARKS

In the non-final Office Action, the Examiner rejects claims 1, 3, 5, 7-13, 15-23, and 25-28 under 35 U.S.C. § 103(a) as allegedly unpatentable over U.S. Patent Application Publication No. 2004/0158429 to Bary et al. (hereinafter "BARY") in view of U.S. Patent Application Publication No. 2004/0177015 to Galai (hereinafter "GALAI"), and further in view of U.S. Patent Application Publication No. 2004/0133848 to Hunt et al. (hereinafter "HUNT"); claim 4 under 35 U.S.C. § 103(a) as allegedly unpatentable over BARY in view of GALAI, further in view of HUNT, and still further in view of U.S. Patent No. 6,952,730 to NAJORK (hereinafter "NAJORK"); and claims 14, 24, and 29 under 35 U.S.C. § 103(a) as allegedly unpatentable over BARY, in view of GALAI, further in view of HUNT, and still further in view of U.S. Patent Application Publication No. 2008/0201344 to Levergood et al. (hereinafter "LEVERGOOD"). Applicant respectfully traverses these rejections.

By way of the present amendment, Applicant amends claims 1, 10, 20-25, 28, and 29 to improve form, cancels claims 26 and 27 without prejudice or disclaimer, and adds new dependent claims 30-33. No new matter has been added by the present amendment. Claims 1, 3-5, and 7-25, and 28-29 are pending.

Initial Remarks Regarding Examiner's Response to Arguments

The Examiner indicated that Applicant's arguments have been considered but are moot in view of the new grounds of rejection (Office Action, p. 2). Applicant respectfully reminds the Examiner that the Examiner must address Applicant's arguments. While the Examiner has relied on a different combination of references, the references that the Examiner relies on in the rejection under 35 U.S.C. § 103(a) are the same references which have been previously

addressed by the Applicant (i.e. GALAI and BARY). Instead of addressing Applicant's arguments regarding the deficiencies of the cited references, the Examiner continues to rely on a different combination of the same references, and alleges that Applicant's arguments are moot in view of the new ground of rejection. Applicant respectfully requests that the Examiner specifically address Applicant's arguments regarding the cited references.

For example, Applicant has explained that GALAI does not disclose or suggest "analyzing the set of URLs extracted from at least one document to determine those in the set of URLs that contain session identifiers by locating the session identifiers in the set of URLs extracted as sub-strings that occur in multiple URLs of a web site," as previously recited in claim 1 (see Amendment dated January 22, 2008, pp. 11-12). In response, the Examiner alleged that GALAI discloses session identifiers because its system contains capability to detect and identify a particular element or field or attributes and that GALAI's system must have capability to identify a session identifier in order to remove the session identifier in the URL (Office Action dated January 22, 2008, p. 2). Therefore, the Examiner did not address Applicant's argument regarding the specifically recited feature (as previously recited) of claim 1 noted above.

Applicant again explained that GALAI and BARY do not disclose or suggest "identifying sub-strings occurring in multiple URLs in a set of URLs as session identifiers, based on a particular rule and based on the sub-strings occurring in multiple URLs of the set of URLs," as recited in claim 1 (see After Final Amendment, dated July 11, 2008, p. 10-16). In response, the Examiner alleges that Applicant's arguments have been considered but are moot in view of the new grounds or rejection, even though the Examiner continues to rely on GALAI in rejecting Applicant's claims (Office Action dated October 28, 2008, p. 2). Therefore, the Examiner once

again did not address Applicant's arguments regarding the specifically recited feature of claim 1 noted above.

Applicant once again explained that GALAI does not disclose or suggest "identifying sub-strings occurring in multiple URLs in a set of URLs as session identifiers, based on a particular rule and based on the sub-strings occurring in multiple URLs of the set of URLs," as recited in claim 1 (see Amendment dated March 2, 2009, p. 6). In response, the Examiner once again alleges that Applicant's arguments have been considered but are moot in view of the new grounds or rejection, even though the Examiner continues to rely on GALAI in rejecting Applicant's claims (current Office Action dated May 14, 2009, p. 2).

Applicant respectfully requests that the Examiner either address Applicant's arguments regarding GALAI and BARY and explain how the Examiner is construing specific elements disclosed by GALAI and BARY as allegedly corresponding to sub-strings occurring in multiple URLs of a set of URLs extracted from one document or from multiple documents associated with a single web host, as recited in claim 1, or withdraw any rejections that rely on either GALAI or BARY.

Rejection under 35 U.S.C. § 103(a) based on BARY, GALAI, and HUNT

Claims 1, 3, 5, 7-13, 15-23, and 25-28 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BARY, in view of GALAI, and further in view of HUNT. Applicant respectfully traverses this rejection.

Amended independent claim 1 is directed to a method performed by a computer system. The method includes extracting, by one or more processors associated with the computer system, a set of uniform resource locators (URLs) from one document or from multiple documents

associated with a single web host; identifying, by one or more processors associated with the computer system, sub-strings occurring in multiple URLs in the set of URLs as session identifiers, based on a particular rule and based on the sub-strings occurring in multiple URLs of the set of URLs; generating, by one or more processors associated with the computer system, a clean set of URLs from the set of URLs by removing the session identifiers; and determining, by one or more processors associated with the computer system, when at least one particular URL has already been crawled based on a comparison of the particular URL to the clean set of URLs. BARY, GALAI, and HUNT, whether taken alone or in any reasonable combination, do not disclose or suggest one or more of these features.

For example, BARY, GALAI, and HUNT do not disclose or suggest identifying, by one or more processors associated with a computer system, sub-strings occurring in multiple URLs in the set of URLs as session identifiers, based on a particular rule and based on the sub-strings occurring in multiple URLs of the set of URLs, as recited in claim 1. The Examiner is invited to review Fig. 5 of Applicant's application for an example that may help in understanding this feature.

With respect to this feature, the Examiner relies on paragraphs [0187] and [0196] of BARY for allegedly disclosing "identifying sub-strings occurring in multiple URLs in the set of URLs as session identifiers" (Office Action, p. 2). The Examiner then admits that BARY does not disclose "identifying sub-strings based on the sub-strings occurring in multiple URLs of the set of URLs" (Office Action, p. 3). Therefore, it is not clear whether the Examiner believes that BARY discloses this feature or not. Applicant respectfully requests that the Examiner clarify which features of claim 1 the Examiner believes BARY allegedly discloses, and which features of claim 1 the Examiner believes BARY does not disclose. Nevertheless, Applicant will

address the sections of BARY relied on by the Examiner to demonstrate that BARY does not disclose or suggest the above-noted feature of claim 1.

Paragraph [0187] of BARY discloses:

The individual transformations that consist of the concept of normalizing may change over time as new concepts are added but the underlying meaning of it will be consistent. Each URL encountered is processed through a set of transformations to reduce it to its normal form. The content issues and characteristics for multiple URLs whose normal forms are identical will be reckoned only once; traffic for multiple URLs whose normal forms are identical will be summed across each non-normal URL to achieve a total traffic number for that normal URL.

This section of BARY discloses that each URL that is encountered is processed through a set of transformations to reduce the URL to its normal form. This section of BARY further discloses that content issues and characteristics for multiple URLs, whose normal forms are identical will be reckoned only once and that traffic for multiple URLs whose normal forms are identical will be summed across each non-normal URL to achieve a total traffic number for that normal URL.

This section of BARY does not disclose sub-strings that occur in multiple URLs. In fact, this section of BARY does not even mention sub-strings, or any component of a URL. Rather, this section of BARY discloses that traffic for multiple URLs with identical normal forms will be summed for all the non-normal URLs to achieve a total traffic for the normal URL. Traffic for multiple URLs is unrelated to sub-strings occurring in multiple URLs in a set of URLs.

Therefore, this section of BARY does not disclose or suggest identifying, by one or more processors associated with a computer system, sub-strings occurring in multiple URLs in the set of URLs as session identifiers, based on a particular rule and based on the sub-strings occurring in multiple URLs of the set of URLs, as recited in claim 1.

Paragraphs [0188]-[0205] of BARY disclose:

To maintain optimal performance the software should be designed to store the current optimization preferences rather than having to access the preference data every time a new URL is processed.

Exemplary URL normalization transformations include the following:

1. option indicates that URLs are not case sensitive (i.e. switch all upper-case characters to lower case). For example:

a. convert `http://qatm01/lbeTestSite/Links/Links.htm`, to `http://qatm01/lbetestsite/links/links.htm`; and

b. convert `http://www.watchfire.com/AboutWatchfire.html` to

`http://www.watchfire.com/aboutwatchfire.html`;

2. option indicates that URLs are case sensitive (i.e. do not switch upper-case characters to lower case). For example:

a. do not change `http://qatm01/lbeTestSite/Links/Links.htm`, at all; and

b. do not change `http://www.watchfire.com/AboutWatchfire.html` at all;

3. option indicates that URLs have the following to identify sessions: `sid`, `Sessionid`, `refer`, and delimiters `"&"` and `"_"`. (i.e. delete all characters after `"SID"`). For example:

a. convert: `http://qatm01/lbetestsite/path/path3/indexhtm?sid=2&sessionid=1_refer=1` to:

`http://qatm01/lbetestsite/path/path3/indexhtm?`;

b. convert `http://qatm01/lbetestsite/path/path3/2.htm?sid=2&sessionid=2` to

`http://qatm01/lbetestsite/path/path3/2.htm?`; and

c. convert `http://qatm01/lbetestsite/path/path3/21.htm?sid=2` to

`http://qatm01/lbetestsite/path/path3/21.htm?`; and

4. option indicates that `ww1.compaq.com`, `ww2.compaq.com` and `ww3.compaq.com` should be mapped to `www.compaq.com`

a. convert `ww1.compaq.com` to `www.compaq.com`; and

b. convert `ww2.compaq.com` to `www.compaq.com`; and

c. convert `ww3.compaq.com` to `www.compaq.com`.

The above options can, of course, be used in combination. For example, if the preferences are set as follows: options indicate site is not case sensitive, has a session identifier as `"sid"` and should match `ww5.watchfire.com` to `www.watchfire.com` then `ww5.watchfire.com/index.html?sid=92` will be converted to `www.watchfire.com/index.html?`.

Currently the session id is searched for within the entire URL so if the session id variable happens to be in the path then the URL will be stripped early. If the Web administrator had an option to identify a character that identified the beginning of any session variables then they could define where search started. In most sites this would be defaulted to the `"?"` character. To implement this the session id could be searched in the URL from anything following this character.

This section of BARY discloses URL normalization transformations. The transformations

include switching all upper-case characters to lower-case characters for URLs that are not case

sensitive and not switching to all lower-case character for URLs that are case sensitive, deleting

all characters after a session identifier, and converting `ww1.compaq.com`, `ww2.compaq.com`, and

`ww3.compaq.com` to `www.compaq.com`. Session identifiers are identified when the following

occur in a URL: `"sid"`, `"sessionid"`, `"refer"`, `"&"`, `"_"`, or `"?"`. Therefore, this section of BARY

discloses locating session identifiers based on these specific characters or strings of characters.

This section of BARY does not disclose or suggest identifying sub-strings that occur in multiple

URLs in a set of URLs. In fact, this section of BARY does not even mention multiple URLs in a set of URLs.

Therefore, this section of BARY does not disclose or suggest identifying, by one or more processors associated with a computer system, sub-strings occurring in multiple URLs in the set of URLs as session identifiers, based on a particular rule and based on the sub-strings occurring in multiple URLs of the set of URLs, as recited in claim 1.

The Examiner further relies on paragraphs [0090] and [0091] of GALAI for allegedly disclosing "identifying sub-strings based on the sub-strings occurring in multiple URLs of the set of URLs" (Office Action, p. 3). Applicant disagrees with the Examiner's interpretation of GALAI.

Paragraphs [0089] and [0091] of GALAI disclose:

As shown, in stage 1, the Web page is preferably retrieved by using the complete URL to form an original Web page. In stage 2, each of the parameters is preferably removed and the Web page is retrieved again by using the reduced URL.

The term "parameter" refers to any divisible subunit of the URL. In stage 3, this Web page is then compared with the original Web page. If the removed parameter(s) are not redundant, such that they are required for the correct retrieval of the original Web page, then the retrieved Web page would be completely different from the original Web page.

If the parameter is redundant, the Web pages may be expected to be similar, although perhaps not completely identical. Lack of identity may occur if the Web page includes one or more links with the complete URL, as for a session ID. Alternatively, the Web page could be custom tailored according to user identifying information, for personalization. For that reason, the comparison function of the present invention preferably checks for similarity in content and more preferably produces a similarity level, which is the likelihood of the two Web pages to have the same content. If this value exceeds a certain threshold, then most preferably the removed parameter is considered to be redundant.

This section of GALAI discloses retrieving a web page using a complete URL to form an original web page. Subsequently, the web page is retrieved again by using a reduced URL. A reduced URL is formed by removing a parameter from the complete URL. A parameter is any divisible subunit of the URL. If a parameter is redundant, the retrieved web pages will be similar. If the retrieved web pages are sufficiently similar, the removed parameter is considered redundant.

This section of GALAI does not disclose or suggest identifying sub-strings occurring in multiple URLs of a set of URLs. Rather, this section of GALAI discloses retrieving a web page using a single URL, removing a parameter from the single URL to form a reduced URL, retrieving the web page with the reduced URL, and determining whether the parameter is redundant based on the similarity of the retrieved web pages.

Therefore, this section of GALAI does not disclose or suggest identifying, by one or more processors associated with a computer system, sub-strings occurring in multiple URLs in the set of URLs as session identifiers, based on a particular rule and based on the sub-strings occurring in multiple URLs of the set of URLs, as recited in claim 1.

HUNT does not overcome the deficiencies of BARY and GALAI set forth above with respect to the above-noted feature of claim 1. In fact, it is not clear why the Examiner included HUNT in this rejection. Applicant respectfully requests that the Examiner clarify the reasons for including HUNT and state which feature of claim 1 the Examiner believes HUNT allegedly discloses.

Therefore, even if BARY were to be combined with GALAI and HUNT, the combination would not disclose or suggest each of the features of claim 1. Further, even if for the sake of argument, the combination of BARY, GALAI, and HUNT could be fairly construed to disclose or suggest each of the features of claim 1, Applicant asserts that the reasons for combining BARY, GALAI, and HUNT do not satisfy the requirements of 35 U.S.C. § 103.

For example, with respect to the reasons for combining BARY, GALAI, and HUNT, the Examiner alleges (Office Action, p. 3):

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Bary and Galai because Galai's teaching of "identifying sub-string based on the sub-strings occurring in multiple URLs of the set of URLs" improves Bary's system environment in order for system to provide

more consistent search "hit" to the users (refer to Hunt, par 203 and par 235) and also provides the user's of Bary a better website search engine.

Applicant submits that the Examiner's allegation is merely a conclusory statement of an alleged benefit of the combination. Such conclusory statements have been repeatedly held to be insufficient for establishing a *prima facie* case of obviousness. In this respect, Applicant relies upon KSR International Co. v. Teleflex Inc., 550 U.S. 398, 127 S. Ct. 1727, 82 U.S.P.Q.2d 1385 (2007) (citing In re Kahn, 441 F.3d 977, 988 (Fed. Cir. 2006)), where it was held that rejections on obviousness grounds cannot be sustained by mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness. In this case, no such articulated reasoning has been provided with respect to claim 1.

For example, the Supreme Court in KSR noted that the analysis supporting a rejection under 35 U.S.C. § 103 should be made explicit. See M.P.E.P. § 2143. Exemplary rationales that may support a conclusion of obviousness include (A) Combining prior art elements according to known methods to yield predictable results; (B) Simple substitution of one known element for another to obtain predictable results; (C) Use of known technique to improve similar devices (methods, or products) in the same way; (D) Applying a known technique to a known device (method, or product) ready for improvement to yield predictable results; (E) "Obvious to try" - choosing from a finite number of identified, predictable solutions, with a reasonable expectation of success; (F) Known work in one field of endeavor may prompt variations of it for use in either the same field or a different one based on design incentives or other market forces if the variations are predictable to one of ordinary skill in the art; (G) Some teaching, suggestion, or motivation in the prior art that would have led one of ordinary skill to modify the prior art reference or to combine prior art reference teachings to arrive at the claimed invention.

Applicant respectfully requests that the Examiner indicate which of the above-noted rationales (or another rationale) the Examiner is employing to support the alleged conclusion of obviousness with respect to claim 1. Applicant further requests that the Examiner articulate the specific findings required for the Examiner's particular rationale, as enumerated in M.P.E.P. § 2143 under each of the above-noted exemplary rationales.

For at least the foregoing reasons, Applicant submits that claim 1 is patentable over BARY, GALAI, and HUNT, whether taken alone or in any reasonable combination. Accordingly, Applicant respectfully requests that the rejection of claim 1 under 35 U.S.C. § 103(a) based on BARY, GALAI, and HUNT be reconsidered and withdrawn.

Claims 3, 5 and 7-9 depend from claim 1. Therefore, these claims are patentable over BARY, GALAI, and HUNT for at least the reasons set forth above with respect to claim 1. Accordingly, Applicant respectfully requests that the rejection of claims 3, 5 and 7-9 under 35 U.S.C. § 103(a) based on BARY, GALAI, and HUNT be reconsidered and withdrawn.

Amended independent claims 10, 15, and 20 recite features similar to, yet possibly of different scope than, features discussed above with respect to claim 1. Therefore, these claims are patentable over BARY, GALAI, and HUNT, whether taken alone or in any reasonable combination, for at least reasons similar to the reasons set forth above with respect to claim 1. Accordingly, Applicant respectfully requests that the rejection of claims 10, 15, and 20 under 35 U.S.C. § 103(a) based on BARY, GALAI, and HUNT be reconsidered and withdrawn.

Claims 11-14 depend from claim 10. Therefore, these claims are patentable over BARY, GALAI, and HUNT for at least the reasons set forth above with respect to claim 10. Accordingly, Applicant respectfully requests that the rejection of claims 11-14 under 35 U.S.C. § 103(a) based on BARY, GALAI, and HUNT be reconsidered and withdrawn.

Claims 16-19 depend from claim 15. Therefore, these claims are patentable over BARY, GALAI, and HUNT for at least the reasons set forth above with respect to claim 15.

Accordingly, Applicant respectfully requests that the rejection of claims 16-19 under 35 U.S.C. § 103(a) based on BARY, GALAI, and HUNT be reconsidered and withdrawn.

Claims 21-23 depend from claim 20. Therefore, these claims are patentable over BARY, GALAI, and HUNT for at least the reasons set forth above with respect to claim 20.

Accordingly, Applicant respectfully requests that the rejection of claims 21-23 under 35 U.S.C. § 103(a) based on BARY, GALAI, and HUNT be reconsidered and withdrawn.

Amended independent claim 25 recites features similar to, yet possibly of different scope than, features discussed above with respect to claim 1. Therefore, this claim is patentable over BARY, GALAI, and HUNT, whether taken alone or in any reasonable combination, for at least reasons similar to the reasons set forth above with respect to claim 1. Accordingly, Applicant respectfully requests that the rejection of claim 25 under 35 U.S.C. § 103(a) based on BARY, GALAI, and HUNT be reconsidered and withdrawn. Moreover, this claim is patentable over BARY, GALAI, and HUNT, whether taken alone or in any reasonable combination, for reasons of its own.

For example, amended independent claim 25 is directed to one or more memory devices that include programming instructions executable by one or more processors. The one or more memory devices include one or more instructions to extract a set of uniform resource locators (URLs) from one document or from multiple documents associated with a single web host; one or more instructions to identify, in the set of URLs, sub-strings that contain at least a particular number of characters or have at least a particular measure of randomness; and one or more instructions to further identify, in the identified sub-strings, one of the sub-strings as

corresponding to a session identifier based on multiple occurrences of the sub-string in the set of extracted URLs. BARY, GALAI, and HUNT, whether taken alone or in any reasonable combination, do not disclose or suggest one or more of these features.

For example, BARY, GALAI, and HUNT, do not disclose or suggest one or more instructions to identify, in the set of URLs, sub-strings that contain at least a particular number of characters or have at least a particular measure of randomness, as recited in amended claim 25. Without acquiescing in the Examiner's allegations regarding claim 25, Applicant submits that GALAI and HUNT do not disclose or suggest identifying sub-strings in a URL. With respect to BARY, Applicant will address the section of BARY that appears the most relevant.

Paragraphs [0188]-[0205] of BARY, which are reproduced above, disclose URL normalization transformations. The transformations include switching all upper-case characters to lower-case characters for URLs that are not case sensitive and not switching to all lower-case character for URLs that are case sensitive, deleting all characters after a session identifier, and converting ww1.compaq.com, ww2.compaq.com, and ww3.compaq.com to www.compaq.com. Session identifiers are identified when the following occur in a URL: "sid," "sessionid," "refer," "&," "_" or "?." Therefore, this section of BARY discloses locating session identifiers based on these specific characters or strings of characters.

This section (or any other section) of BARY does not disclose or suggest identifying sub-strings that contain at least a particular number of characters. This section (or any other section) of BARY does not disclose or suggest identifying sub-strings that have at least a particular measure of randomness. Therefore, this section of BARY does not disclose or suggest one or more instructions to identify, in the set of URLs, sub-strings that are not part of a domain name

of a URL, contain at least a particular number of characters, or have at least a particular measure of randomness, as recited in amended claim 25.

For at least these additional reasons, Applicant submits that claim 25 is patentable over BARY, GALAI, and HUNT, whether taken alone or in any reasonable combination.

Claims 26-28 depend from claim 25. Therefore, these claims are patentable over BARY, GALAI, and HUNT for at least the reasons set forth above with respect to claim 25.

Accordingly, Applicant respectfully requests that the rejection of claims 26-28 under 35 U.S.C. § 103(a) based on BARY, GALAI, and HUNT be reconsidered and withdrawn.

Rejection under 35 U.S.C. § 103(a) based on BARY, GALAI, HUNT, and NAJORK

Claim 4 stands rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BARY in view of GALAI, further in view of HUNT, and still further in view of NAJORK. Applicant respectfully traverses this rejection.

Claim 4 depends from claim 1. Without acquiescing in the examiner's rejection of claim 4, Applicant submits that the disclosure of NAJORK does not overcome the deficiencies of the disclosures of BARY, GALAI and HUNT set forth above with respect to claim 1. For at least the foregoing reasons, Applicant submits that claim 4 is patentable over BARY, GALAI, HUNT, and NAJORK, whether taken alone or in any reasonable combination. Accordingly, Applicant respectfully requests that the rejection of claim 4 under 35 U.S.C. § 103(a) based on BARY, GALAI, HUNT, and NAJORK be reconsidered and withdrawn.

Rejection under 35 U.S.C. § 103(a) based on BARY, GALAI, HUNT, and LEVERGOOD

Claims 14, 24, and 29 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BARY, in view of GALAI, further in view of HUNT, and still further in view of LEVERGOOD. Applicant respectfully traverses this rejection.

Claim 14 depends from claim 10. Without acquiescing in the examiner's rejection of claim 14, Applicant submits that the disclosure of LEVERGOOD does not overcome the deficiencies of the disclosures of BARY, GALAI and HUNT set forth above with respect to claim 10. Therefore, claim 14 is patentable over BARY, GALAI, HUNT, and LEVERGOOD whether taken alone or in any reasonable combination, for at least the reasons set forth above with respect to claim 10. Accordingly, Applicant respectfully requests that the rejection of claim 14 under 35 U.S.C. § 103(a) based on BARY, GALAI, HUNT, and LEVERGOOD be reconsidered and withdrawn.

Claim 24 depends from claim 20. Without acquiescing in the examiner's rejection of claim 24, Applicant submits that the disclosure of LEVERGOOD does not overcome the deficiencies of the disclosures of BARY, GALAI and HUNT set forth above with respect to claim 20. Therefore, claim 24 is patentable over BARY, GALAI, HUNT, and LEVERGOOD whether taken alone or in any reasonable combination, for at least the reasons set forth above with respect to claim 20. Accordingly, Applicant respectfully requests that the rejection of claim 24 under 35 U.S.C. § 103(a) based on BARY, GALAI, HUNT, and LEVERGOOD be reconsidered and withdrawn.

Claim 29 depends from claim 25. Without acquiescing in the examiner's rejection of claim 29, Applicant submits that the disclosure of LEVERGOOD does not overcome the deficiencies of the disclosures of BARY, GALAI and HUNT set forth above with respect to

claim 25. Therefore, claim 29 is patentable over BARY, GALAI, HUNT, and LEVERGOOD whether taken alone or in any reasonable combination, for at least the reasons set forth above with respect to claim 25. Accordingly, Applicant respectfully requests that the rejection of claim 29 under 35 U.S.C. § 103(a) based on BARY, GALAI, HUNT, and LEVERGOOD be reconsidered and withdrawn.

New Claims

New dependent claim 30 depends from claim 1. Therefore, this claim is patentable over the applied references for at least the reasons set forth above with respect to claim 1.

New dependent claim 31 depends from claim 10. Therefore, this claim is patentable over the applied references for at least the reasons set forth above with respect to claim 10.

New dependent claim 32 depends from claim 15. Therefore, this claim is patentable over the applied references for at least the reasons set forth above with respect to claim 15.

New dependent claim 33 depends from claim 20. Therefore, this claim is patentable over the applied references for at least the reasons set forth above with respect to claim 20.

Conclusion

In view of the foregoing amendments and remarks, Applicant respectfully requests the Examiner's reconsideration of the application and the timely allowance of the pending claims.

While the present application is now believed to be in condition for allowance, should the Examiner find some issue to remain unresolved, or should any new issues arise which could be eliminated through discussions with Applicant's representative, then the Examiner is invited to contact the undersigned by telephone in order to expedite prosecution of this application.

As Applicant's remarks with respect to the Examiner's rejections are sufficient to overcome these rejections, Applicant's silence as to assertions by the Examiner in the Office Action or certain requirements that may be applicable to such assertions (e.g., whether a reference constitutes prior art, reasons to modify a reference and/or to combine references, assertions as to dependent claims, assertions regarding Official Notice, etc.) is not a concession by Applicant that such assertions are accurate or such requirements have been met, and Applicant reserves the right to analyze and dispute such assertions/requirements in the future.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-1070 and please credit any excess fees to such deposit account.

Respectfully submitted,

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